



ROYAL FUMIGATION  
53 McCULLOUGH DRIVE  
NEW CASTLE, DE 19720  
302.322.3600 TEL  
302.322.6887 FAX  
[WWW.ROYALFUME.COM](http://WWW.ROYALFUME.COM)

September 23, 2005

Docket Clerk  
Marketing Order Administration Branch  
Fruit and Vegetable Programs  
AMS, USDA  
1400 Independence Avenue, SW  
STOP 0237  
Washington, DC 20250-0237

FAX (202) 720-8938  
E-MAIL [moab.docketclerk@usda.gov](mailto:moab.docketclerk@usda.gov)  
INTERNET <http://www.regulations.gov>

**RE: Docket No. FV03-925-1PR**  
**Federal Register Vol.70, No. 100, Page 30001**  
**Grapes Grown in a Designated Area of Southeastern California and**  
**Imported Table Grapes; Proposed Change in Regulatory Period**  
**COMMENTS IN OPPOSITION TO PROPOSED CHANGE**

Dear Docket Clerk:

Royal Fumigation Inc. opposes the above-referenced change in the dates that Table Grape Marketing Order 925 restrictions will be placed on table grapes supplied from Chile. Royal Fumigation supplies quarantine fumigation services to treat the Chilean fruit arriving in the U.S. each winter. Royal is one of two fumigation companies on the U.S. East Coast that supply these services, and we treat over half of the fruit received on the East Coast.

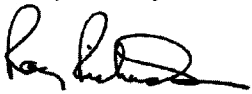
Royal Fumigation concurs with the detailed comments and supporting data submitted by ASOEX (the Chilean Exporters Association), as well as with the position expressed by the Maritime Exchange for the Delaware River and Bay. Specifically, Royal urges the agency to reject the proposed change in the regulatory period for the following reasons:

1. The change in the beginning effective date of the marketing order from April 20 to April 1 will have a direct negative impact on Royal's

business, as it would cut short our season and result in fewer fumigations. The flow of cargo at present uses all available transporting and handling resources, so a shorter season would result in less cargo coming through the ports where we perform fumigations.

2. The proposed rule does not contain sufficient evidence of circumvention by Chilean table grapes to warrant the proposed change.
3. The change in date from April 20 to April 1 will create an artificial shortage of table grapes since there is no other commercially significant and reliable supply from any source other than Chile.
4. The Chilean grapes supplied from April 1 to the earliest commercially significant supplies of grapes from Coachella Valley in California meet marketing specifications from retail chains that are more stringent in some respects than the marketing order requirements.
5. The proposed change cannot be validly based on a 20 year-old survey of cold storage practices.
6. The proposed change is not supported by any analysis of the record prices received by Coachella Valley growers in the last two seasons.

Respectfully submitted,



Roy Richardson, President  
Royal Fumigation Inc.

copy (by e-mail): Chilean Exporters Association  
Maritime Exchange for the Delaware River and Bay